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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,288	03/31/2006	Marc Gansemans	288837US6PCT	7153
22850	7590	08/13/2009		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
SPAHN, GAY				
ART UNIT		PAPER NUMBER		
3635				
NOTIFICATION DATE		DELIVERY MODE		
08/13/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**CONTINUATION SHEET**  
**to**  
**Failure to Acceptably Respond to**  
**Notice of Non-Compliant Amendment (37 CFR 1.121)**  
**No New Time Period for Reply is Provided**

Continuation of 1C Other: The examiner notes that Supplemental Notice of Non-Compliant Amendment (37 CFR 1.121) mailed 22 April 2009 clearly stated in Paragraph no. 2 towards the bottom that "[i]f any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121" (emphasis in original). Applicant has failed to submit a complete corrected "Amendment to the Specification" section because he has not resubmitted the Substitute Specification with a clean copy of the Abstract and the Marked-Up Copy of the originally filed specification with a Marked-Up copy of the Abstract. Rather, Applicant has only submitted what appears to be a clean copy of an amended Abstract and has instructed the United States Patent and Trademark Office to "[p]lease replace the Abstract submitted with the Substitute Specification of the Amendment filed February 10, 2009" therewith. The Office no longer makes changes to the specification as it used to before new amendment format instituted in July of 2003. Rather, 37 CFR 1.121 requires Applicants to make the changes. Therefore, the Office cannot cut-and-paste parts of the "Amendments to the Specification" section from the "Amendment Under 37 CFR 1.111" filed 10 February 2009 and parts of the "Amendments to the Specification" section of the "Response to Notice of Non-Compliant Amendment" filed 13 May 2009 to arrive at one complete "Amendments to the Specification" section.

In addition, it is believed that the statement required by 37 CFR 1.125(b) that the substitute specification includes no new matter must accompany the substitute specification itself and since Applicant has not resubmitted the substitute specification with the "Response to Notice of Non-Compliant Amendment" filed 13 May 2009, this has not been done.

Finally, Applicant's submission of the Abstract on page 2 of the "Response to Notice of Non-Compliant Amendment" filed 13 May 2009 would create confusion during the printing process were this application to go to issue because it appears that Applicant is attempting to amend the specification by substitute paragraphs under 37 CFR 1.121(b)(1) when in fact he is trying to amend the specification by substitute specification under 37 CFR 1.121(b)(3).

/Gay Ann Spahn/  
Gay Ann Spahn, Primary Examiner  
August 7, 2009